



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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April 16, 2003

IN REPLY PLEASE
REFER TO FILE: **MP-5**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF INTENTION TO VACATE PORTIONS OF PATHFINDER ROAD
VICINITY OF ROWLAND HEIGHTS
FUTURE PUBLIC HEARING
SUPERVISORIAL DISTRICT 4
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the enclosed Resolution of Intention to Vacate, with reservations, portions of Pathfinder Road east of Fullerton Road, in the unincorporated County area known as Rowland Heights, pursuant to Section 8320, et seq., of the California Streets and Highways Code.
2. Set the matter for hearing not less than 15 days from the adoption of the Resolution, pursuant to Section 8320 of the California Streets and Highways Code.
3. Instruct the Executive Officer of the Board to publish the enclosed Notice of Proposed Vacation, pursuant to Section 8322 of the California Streets and Highways Code.

AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT YOUR BOARD:

Adopt the enclosed Resolution to Vacate with Reservations on the date of the hearing, pursuant to Section 8324 of the California Streets and Highways Code, after finding that:

1. The vacation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. The areas proposed to be vacated are no longer needed for present or prospective public use, including bicycle paths and trails.
3. The public convenience and necessity require the reservation and exception of easements and rights as set forth in Section 8340 of the California Streets and Highways Code.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Public Works' initiated the vacation of those portions of Pathfinder Road outside of the 80-foot right of way in order to remove from the record all public easement rights in the proposed vacation areas. This we allow the Public Works to divest itself of unnecessary and excess rights of way. Abandonment of these portions of the road will not cut off access to adjacent properties or negatively impact the property of other property owners.

Pathfinder Road, a secondary highway 80 feet in width, became a County highway in 1989 by condemnation. The areas being vacated are outside of the operating highway right of way and are not required for public use. The proposed vacation areas are unbuildable as separate parcels and usable only as adjoinder to adjacent properties. Public Works proposes to sell portions of the excess rights of way to the adjacent property owners at a future date.

It is in the County's and public's interest to vacate these rights of way since they no longer serve the purpose for which they were acquired and are not required for general public access, circulation, or for bicycle paths and trails.

Implementation of Strategic Plan Goals

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility as the vacation of these rights of way will result in added revenue through assessment and taxation, eliminates unnecessary maintenance costs, and removes possible County exposure to liability.

FISCAL IMPACT/FINANCING

Vacation of these portions of Pathfinder Road will not have a negative fiscal impact on the County's budget. As this is a County-initiated project, the vacation is processed

gratis. The waiver of the fee is authorized by your Board in Resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The areas to be vacated contain approximately 43,200 square feet and are shown on the map attached to each Resolution.

The County's interests were acquired by a Final Order of Condemnation, recorded on September 12, 1989, as Official Records Document No. 89-1465710, on file in the office of the Recorder of the County of Los Angeles.

Section 8300, et seq., of the Streets and Highways Code allows your Board to voluntarily relinquish the County's interest and terminate the public's right over a street or highway. Adoption by your Board of Public Works' recommendations terminates the rights of the public to the vacated areas and disposes of excess County rights of way. Your action will also result in the properties being unencumbered of the public easement, thereby allowing the County, the owner of the underlying fee title, to exercise its reversionary rights over the vacated area.

ENVIRONMENTAL DOCUMENTATION

This proposed vacation is categorically exempt from the CEQA, as specified in Class 21(a), of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Section 15321 of State CEQA Statutes and Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The County of Los Angeles Fire Department has found that no fire protection facilities will be affected by the proposed vacation. The County of Los Angeles Regional Planning Commission has determined that the proposed vacation of these rights of way are not in conflict with the County-Adopted General Plan and that the rights of way are not suitable for bicycle paths and trails.

Existing easements for utility facilities will be reserved to the Southern California Edison Company and The Gas Company. An existing easement for covered storm drain, appurtenant structures, and ingress and egress purposes will be reserved to the County of Los Angeles Flood Control District, and Provisions will be made for a future street reservation in favor of the County of Los Angeles, as shown on Exhibit "B."

The Honorable Board of Supervisors
April 16, 2003
Page 4

CONCLUSION

This action is in the County's best interest. Enclosed are a Resolution of Intention and a Resolution to Vacate with Reservations, approved as to form by County Counsel. Upon adoption of the Resolution of Intention, please transmit two conformed copies of the Resolution and the Notice of Proposed Vacation to Public Works, which will post the notices pursuant to California Streets and Highways Code Section 8323. Upon adoption of the Resolution to Vacate with Reservations, please return the executed original, together with two conformed copies and a copy of the Board's minute order, for further processing. Public Works will record the Resolution and return the executed original Resolution to you when recorded. In the interim, please retain one executed copy for your files.

One approved copy of this letter is requested.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

CVC:mrh
5:pathfinderfphbl

Enc.

cc: Chief Administrative Office
County Counsel

RESOLUTION OF INTENTION TO VACATE

WHEREAS, it is proposed that portions of Pathfinder Road east of Fullerton Road in the vicinity of Rowland Heights, in the unincorporated area of the County of Los Angeles, State of California, be vacated as public highways; and

WHEREAS, the proposed vacation has been approved by the Director of the County of Los Angeles Department of Public Works;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles, State of California, that it is the intention of said Board of Supervisors to order that the aforementioned rights of way (easements) legally described in Exhibit "A" and as shown by the map in Exhibit "B" attached hereto and incorporated herein by this reference covering the rights of way in the County of Los Angeles, State of California, be vacated, pursuant to Chapter 3 of Part 3 of Division 9 of the Streets and Highways Code of the State of California, commencing with Section 8320;

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, the _____ day of _____, 20____, at the hour of _____ a.m./p.m. of said day, is the day and hour, and the Hearing Room of the Board of Supervisors, Room 381 Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012, is the place fixed by the Board of Supervisors when and where any and all persons having objections to the proposed vacation may appear before the said Board of Supervisors and show cause why said proposed vacation should not be made in accordance with this Resolution.

IT IS FURTHER ORDERED that notices of such proposed vacation to be conspicuously posted, along the lines of the areas proposed to be vacated in the manner and in the form required by law, and shall cause same to be published in a newspaper of general circulation published in the County, for at least two successive weeks prior to the day fixed for the hearing.

The foregoing Resolution was on the _____ day of _____, 20____, adopted and ordered by the Board of Supervisors of the County of Los Angeles, and ex officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM

LLOYD W. PELLMAN
County Counsel

By _____
Deputy

VIOLET VARONA-LUKENS
Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By _____
Deputy

**NOTICE OF PROPOSED VACATION OF PORTIONS OF PATHFINDER ROAD IN
THE VICINITY OF ROWLAND HEIGHTS, IN THE
FOURTH SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that a Resolution of Intention was adopted by the Board of Supervisors of the County of Los Angeles on _____ 20____, declaring its intention to vacate, with reservations, portions of Pathfinder Road east of Fullerton Road (Rowland Heights, California 91748), in the unincorporated portion of the County of Los Angeles, State of California, in the Fourth Supervisorial District, as described in Exhibit "A", attached hereto and incorporated herein by reference.

A hearing on the proposed vacation will be held in the Hearing Room of the Board of Supervisors, Room 381, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012, on _____, 20____, at _____ a.m./p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California, adopted _____, 20_____.

APPROVED AS TO FORM

LLOYD W. PELLMAN
County Counsel

VIOLET VARONA-LUKENS
Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By _____
Deputy

By _____
Deputy

RESOLUTION TO VACATE WITH RESERVATIONS

WHEREAS, the Board of Supervisors of the County of Los Angeles, State of California, did on _____, 20____, adopt the Resolution of Intention to Vacate as public Highways portions of Pathfinder Road east of Fullerton Road in the vicinity of Rowland Heights, in the County of Los Angeles, State of California, legally described in Exhibit "A" and shown by map in Exhibit "B" attached to said Resolution; pursuant to Chapter 3 of the Part 3 of Division 9 of the Streets and Highways Code of the State of California commencing with Section 8320; and

WHEREAS, pursuant to said Resolution, notice of proposed vacation has been given by publication and by posting; and

WHEREAS, said Board of Supervisors held a public hearing on said proposed vacation _____, 20____; and

WHEREAS, said Board of Supervisors has found and determined that, the areas to be vacated are no longer necessary for present or prospective public use based upon the following facts: That the subject rights of way are not required for general public access and circulation, including bicycle paths and trails;

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, that the above-referenced rights of way are hereby vacated pursuant to Chapter 3 of Part 3 of Division 9 of the Streets and Highways Code, State of California, commencing with Section 8320; reserving and excepting therefrom easements and rights for utility facilities owned by Southern California Edison Company, The Gas Company, storm drains, appurtenant structures and easements for ingress and egress purposes to the Los Angeles County Flood Control District and a future street reservation to the County of Los Angeles as set forth in Sections 8340 and 8341 of said Streets and Highways Code;

AND BE IT FURTHER RESOLVED that the Department of Public Works be authorized to record the certified original Resolution in the office of the Recorder of the County of Los Angeles, at which time the areas vacated will no longer be public streets or highways.

The foregoing Resolution was on the _____ day of _____, 20____, adopted by the Board of Supervisors of the County of Los Angeles, State of California.

APPROVED AS TO FORM

LLOYD W. PELLMAN
County Counsel

By _____
Deputy

VIOLET VARONA-LUKENS
Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By _____
Deputy